

REMARKS

Applicant submits these remarks in response to the Office Action dated January 7, 2005 ("Office Action").

New corrected drawings are provided to be in compliance with 37 CFR 1.121(d).

Claims 1-17 are pending in the application.

Claims 1-7, 10-12, and 17 have been rejected under 35 U.S.C. § 102(b), as being anticipated by Moriyama. Applicant traverses this rejection, as at very least, Moriyama fails to disclose "attaching at least three linear actuators rigidly to said metrology frame such that the at least three linear actuators are parallel but not in the same plane." Although Moriyama teaches an ultra-precision two-dimensional moving apparatus, Applicant's invention teaches the use of at least three linear actuators rigidly attached to a metrology frame, with the at least three linear actuators being parallel, but located in different planes. By locating the actuators in different planes, Applicant's invention enables highly accurate positioning in three dimensions.

The Examiner rejected claims 8, 9, and 13-16 as being unpatentable over Moriyama in view of U.S. Patent No. 3,926,062 (Neff). In view of the amendments to the claim, Applicant respectfully asserts that the claims are patentable over the cited references.

For all the reasons listed above and more, Applicant respectfully requests that the Examiner withdraw the rejections of claims 1-17.

Applicant believes that no extension or any other fees are due. In the event that Applicant is incorrect in the calculation, please charge any fee due in connection with this submission to Deposit Account No. 50-2212, Order Number 044182.0308762.

Applicant believes that all claims are in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (858) 509-4008.

Respectfully submitted,
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Dated: July 5, 2005

By: 

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*; Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: July 5, 2005


Signature

SACHIKO Y. SNEDDEN

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.